



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box 801  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/009,186	Alexandra R. Moise	UBC-0002

INTERNATIONAL APPLICATION NO.

PCT/CA00/00663

I.A. FILING DATE

PRIORITY DATE

06/07/2000

05/28/1999

Jeffrey J King  
 Woodcock Washburn  
 One Liberty Place 46th Floor  
 Philadelphia, PA 19103

RECEIVED

FEB 13 2002

v/cccccc Washburn Kurtz  
 Mackiewicz & Norris LLP

CONFIRMATION NO. 8609

371 FORMALITIES LETTER



\*OC000000007442853\*

Date Mailed: 02/08/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of the International Application
- Copy of the International Search Report

RECEIVED

FEB 22 2002

SEATTLE  
 WWKMN

RECEIVED

FEB 13 2002

DOCKET DEPT.  
 VTT/KMN

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Additionally the following defects have been observed:

- Additional claim fees of \$420 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees

are due.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$550** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$420**
  - **\$420** for 5 independent claims over 3.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

MAMIE P PERSON

Telephone: (703) 305-3737

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/009,186	PCT/CA00/00663	UBC-0002

FORM PCT/DO/EO/905 (371 Formalities Notice)

DOCKET NO.: UBC-0002

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## In Re Application of:

Alexandru R. MOISE, et al.

Serial No.: 10/009,186

Group Art Unit: not yet known

Intl. Application No.: PCT/CA00/00663

Intl. Filing Date: 07 June 2000

Examiner: not yet assigned

For: APOPTOSIS INHIBITION BY ADENOVIRUS E3/6.7K

Assistant Commissioner for Patents

Washington DC 20231

ATTENTION: Refund Section, Accounting Division, Office of Finance

REQUEST FOR REFUND  
(37 CFR 1.28(a))

## I. SMALL ENTITY STATUS

- ☐ Applicant(s) has previously claimed small entity status under 37 CFR §1.27
- ☒ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as:
- ☐ an Independent Inventor
  - ☐ a Small Business Concern
  - ☒ a Nonprofit Organization

## II. REFUND REQUEST

This request for refund is made within three months of the date a fee was paid in this application on December 7, 2001, in the amount of \$890.00.

10009186.030602  
209020" 98760001

DOCKET NO.: UBC-0002

- 2 -

PATENT

## III. FEES PAID FOR WHICH REFUND REQUESTED

FEE PAID:	REFUND REQUESTED:
Filing Fee	\$445.00
Surcharge for filing the basic filing fee on a date later than the filing date of the application (37 CFR 1.16(e) or 37 CFR 1.16(l))	\$
Surcharge for filing the oath or declaration on a date later than the filing date of the application (37 CFR 1.16(e))	\$
Extension of Term	\$
Issue Fee	\$
Patent Maintenance <input type="checkbox"/> First Maintenance Fee <input type="checkbox"/> Second Maintenance Fee <input type="checkbox"/> Third Maintenance Fee	\$
Patent Maintenance Fee Surcharge	\$
Other:	\$
<b>TOTAL REFUND REQUESTED:</b>	<b>\$445.00</b>

## IV. MANNER OF REFUND

Please make refund by

☒ crediting Deposit Account No. 23-3050.☐ refunding overpayment.

Date: March 6, 2002

  
Jeffrey J. King  
Registration No. 38.515Woodcock Washburn LLP  
One Liberty Place - 46th Floor  
Philadelphia PA 19103  
Telephone: (215) 568-3100  
Facsimile: (215) 568-3439

10009186-030602

FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NUMBER  
UBC-0002TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371U.S. APPLICATION NO. (if known see 37 C.F.R. 1.5)  
10/009,186INTERNATIONAL APPLICATION NO.  
PCT/CA00/00663INTERNATIONAL FILING DATE  
07 June 2000PRIORITY DATE CLAIMED  
07 June 1999

TITLE OF INVENTION APOPTOSIS INHIBITION BY ADENOVIRUS E3/6.7K

APPLICANT(S) FOR DO/EO/US Alexandru R. MOISE, et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

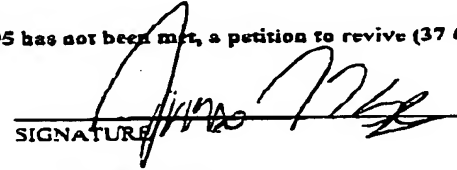
1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f) ) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) 35 U.S.C. 371(c)(4).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
- ☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
  - Associate Power of Attorney.
  - Request for Refund.
  - copy of Notification of Missing Requirements dated February 8, 2002.
  - return postcard.

EL899366050US

EXPRESS MAIL Mailing Label No. EL 899366050 US  
Date of Deposit: 06 March 2002

U.S. APPLICATION NO (if known 37 CFR 1.5) 10/009,186		INTERNATIONAL APPLICATION NO. PCT/CA00/00663		ATTORNEY DOCKET NUMBER UBC-0002	
17. The following fees are submitted: <b>Basic National Fee (37 CFR 1.492(a)(1) - (5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. ....\$1,040.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report has been prepared by the EPO or JPO... ..\$890.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$740.00  International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4). ....\$710.00  International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4).... ..\$100.00  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>CALCULATIONS      PTO USE ONLY</b>	
Surcharge of \$130.00 for furnishing the oath or declaration later than <u>20</u> <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e))				\$130.00	
Claims	Number Filed	Number Extra	Rate		
Total claims	21- 20 =	1	X \$18.00	\$ 18.00	
Independent Claims	8- 3 =	5	x \$84.00	\$420.00	
Multiple dependent claims(s) (if applicable)			+ \$280.00	\$280.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$848.00</b>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$424.00	
<b>SUBTOTAL =</b>				<b>\$424.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$
<b>TOTAL NATIONAL FEE =</b>				<b>\$</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$ 40.00
<b>TOTAL FEES ENCLOSED =</b>				<b>\$464.00</b>	
3/11/2002 UEDUVIJE 00000139 10009186					
1 FC:254	65.00	OP		Amount to be: refunded \$  charged \$	
2 FC:967	9.00	OP			
3 FC:965	210.00	OP			
4 FC:969	140.00	OP			
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>464.00</u> to cover the above fee is enclosed  b. <input type="checkbox"/> Please charge my Deposit Account No. 23-3050 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.  c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-3050. A duplicate copy of this sheet is enclosed  <b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.  <b>SEND ALL CORRESPONDENCE TO:</b>  Jeffrey J. King Woodcock Washburn LLP One Liberty Place - 46th Floor Philadelphia, PA 19103 (215) 568-3100					
			SIGNATURE 		
			NAME <u>Jeffrey J. King</u>		
			<u>38,515</u>		
<b>REGISTRATION NUMBER</b>					